

MINUTES OF THE REGULAR MEETING OF THE ANKENY CITY COUNCIL

Monday, March 18, 2019 – 5:30 PM
Ankeny City Hall - City Council Chambers
410 West First Street, Ankeny, Iowa

Gary Lorenz, Mayor

Mark Holm, Mayor Pro tem

Council Members: Bobbi Bentz, Jim McKenna, Kerry Walter-Ashby, Kelly Whiting

Mayor Lorenz called the meeting to order at 5:30 p.m. Council members Holm and Whiting were absent. City Manager, David Jones and City Attorney, Amy Beattie were present.

Mayor Lorenz led the Pledge of Allegiance.

CEREMONY: none

A. PUBLIC FORUM:

1. Open Forum: Aaron Rickelman, 201 NE Mandy Lane, representing the Ankeny Area Chamber of Commerce, presented an update on the Chamber's activities and events.

B. APPROVAL OF AGENDA:

1. Approval of the March 18, 2019 Agenda:

Action# B1-1. Walter-Ashby made the motion to approve and accept the March 18, 2019 agenda, without amendment, seconded by Bentz.

ROLL CALL

2019-0318.B1-1 YES 3 NO 0

C. PUBLIC HEARING(S):

1. **PH 2019-22:** Proposed SW Irvinedale Drive Transmission Main - Phase 1

Mayor Lorenz opened the public hearing. Notice of this hearing was published in the Des Moines Register on the 1st day of March, 2019.

Don Clark, Municipal Utilities Director, reported this project includes the installation of water main generally located along the north side of Oralabor Road from SW Edgewood Lane to SW Irvinedale Drive and along the east side of SW Irvinedale Drive from Oralabor to the SW Water Tower.

The bid opening for this project was held on Tuesday, March 12, 2019 at which five (5) bids were received with low bid submitted by On Track Construction in the amount of \$1,398,694.00.

The engineer's estimate for the project was \$1,982,000.00 and the bids ranged from approximately 29% below the estimate to 6% above the estimate. City staff reviewed the bid results both internally and with the project's engineering consultant. The City requested and received references from On Track Construction for similar projects and the feedback given has been positive. It is recommended that the project be awarded to On Track Construction of Nevada, Iowa.

Action# C1-1. McKenna made the motion to close Public Hearing 2019-22, seconded by Walter-Ashby.

ROLL CALL

2019-0318.C1-1 YES 3 NO 0

2. PH 2019-23: Proposed 2019 PCC Reconstruction Program - NW 9th Street

Mayor Lorenz opened the public hearing. Notice of this hearing was published in the Des Moines Register on the 1st day of March, 2019.

Mark Mueller, Public Works Director, reported this project includes pavement reconstruction and minor utility improvements along NW 9th Street from just east of NW Irvinedale Drive to the east connection of NW Park Lane in the City of Ankeny.

The bid opening for this project was held on Tuesday, March 12, 2019, at which five (5) bids were received with low bid submitted by Halbrook Excavating, Inc., in the amount of \$550,000.00

The engineer's estimate for the project was \$599,588.00 and the bids ranged from approximately 8% below to 9% above the estimate. The City has worked with Halbrook Excavating, Inc., in the past, and their recent work on other projects has been good. It is recommended that the project be awarded to Halbrook Excavating, Inc., of Ankeny, Iowa.

Action# C2-1. Bentz made the motion to close Public Hearing 2019-23, seconded by Walter-Ashby.

ROLL CALL

2019-0318.C2-1 YES 3 NO 0

3. PH 2019-24: Proposed SE East Lawn Area Utility Improvements - Phase 2

Mayor Lorenz opened the public hearing. Notice of this hearing was published in the Des Moines Register on the 1st day of March, 2019.

Mark Mueller, Public Works Director, reported this project includes the removal and replacement of PCC street pavement, sanitary sewer, water main and storm sewer generally located on SE East Lawn Drive from west of SE Grant Street to SE Sherman Drive in the City of Ankeny.

The bid opening for this project was held on Tuesday, March 12, 2019, at which three (3) bids were received with low bid submitted by Halbrook Excavating, Inc., in the amount of \$1,029,497.00.

The engineer's estimate for the project was \$1,169,590.50. The bids ranged from approximately 12% below to 7% above the estimate. The City reviewed the bid results both internally and with the project's engineering consultant. Halbrook Excavating, Inc., has completed projects of similar nature for the City in the past and they have the experience to complete this project. It is recommended that the project be awarded to Halbrook Excavating, Inc., of Ankeny, Iowa.

Action# C3-1. Walter-Ashby made the motion to close Public Hearing 2019-24, seconded by Bentz.

ROLL CALL

2019-0318.C3-1 YES 3 NO 0

4. **PH 2019-25:** Proposed Issuance of Not to Exceed \$665,000 General Obligation Bonds (for essential corporate purposes)

Mayor Lorenz opened the public hearing. Notice of this hearing was published in the Des Moines Register on the 6th day of March, 2019.

City Manager, David Jones, reported the not to exceed \$665,000 General Obligation Bonds (for essential corporate purposes) are being proposed to fund the new urban renewal project in the Amended and Restated 1991 City of Ankeny Urban Renewal Plan. This includes the West 1st Street Widening and Improvements - Phase 1 project.

Action# C4-1. Bentz made the motion to close Public Hearing 2019-25, seconded by Walter-Ashby.

ROLL CALL

2019-0318.C4-1 YES 3 NO 0

5. **PH 2019-26:** Proposed Issuance of Not to Exceed \$3,975,000 General Obligation Bonds (for essential corporate purposes)

Mayor Lorenz opened the public hearing. Notice of this hearing was published in the Des Moines Register on the 6th day of March, 2019.

City Manager, David Jones, reported the not to exceed \$3,975,000 General Obligation Bonds (for essential corporate purposes) are being proposed to fund the new urban renewal project in the 1989 Ankeny Economic Development Urban Renewal Plan. This includes the SW Des Moines Street - SW Magazine Road to SW 11th Street Improvements project.

Action# C5-1. Walter-Ashby made the motion to close Public Hearing 2019-26, seconded by Bentz.

ROLL CALL

2019-0318.C5-1 YES 3 NO 0

D. REPORTS OF ADVISORY BOARDS AND COMMISSION:

1. Representative: Amber Smith reported on the activities of the Plan and Zoning Commission.

E. APPROVAL OF CONSENT AGENDA:

- **Minutes**

CA - 1 Approval of official council actions of the regular meeting of March 4, 2019, as published, subject to correction, as recommended by the City Clerk.

CA - 2 Receive and file minutes of the Plan and Zoning Commission meeting of February 19, 2019.

CA - 3 Receive and file minutes of the Civil Service Commission meeting of January 14, 2019.

- **Licenses and Permits**

CA - 4 Consider motion to approve the issuance of liquor license(s) and/or beer / wine permit(s) in the City of Ankeny.

CA - 5 Consider motion to approve the solid waste permits for April 1, 2019 – March 31, 2020.

- **Finance/Budget**

CA - 6 Consider motion to receive and file Financial Reports for February 2019.

CA - 7 Consider motion to receive and file the Building Permits Report for February 2019.

CA - 8 Consider motion to receive and file Utility Billing Report for February 2019.

CA - 9 Consider motion to approve Payment #1 in the amount of \$1,999.80 to Calhoun-Burns and Associates, Inc., for engineering services on the NE 54th Street Bridge Replacement over Branch of Fourmile Creek - Construction Engineering project.

CA - 10 Consider motion to approve Payment #10 in the amount of \$10,901.00 to Civil Design Advantage for engineering services on the Deer Creek Trunk Sewer Extension Design project.

CA - 11 Consider motion to approve Payment #5 in the amount of \$11,031.48 to Civil Design Advantage for engineering services on the SE East Lawn Area Utility Improvements - Phase 2 project.

CA - 12 Consider motion to approve Payment #1 in the amount of \$10,466.63 to Hydro-Klean, LLC for construction services on the 2018 Sanitary Sewer System Maintenance Program-CIPP Slip Lining project.

CA - 13 Consider motion to approve Payment #2 in the amount of \$88,935.00 to Nilles Associates, Inc., for engineering services on the SW Des Moines Street Improvements project.

CA - 14 Consider motion to approve Payment #26 in the amount of \$31,607 to OPN Architects for design services on the Ankeny Kirkendall Library Project.

CA - 15 Consider motion to approve Payment #3 in the amount of \$3,691.52 to SVPA Architects, Inc., for services for the Public Services Building renovation project.

CA - 16 Consider motion to approve the March 18, 2019 Accounts Payable from the following funds: General \$215,899.91, Hotel Motel Tax \$159,615.02, Road Use Tax \$38,104.78, Police/Fire Pension \$1,908.00, Library Foundation \$3,638.66, Solid Waste \$51,959.84, Water \$511,609.72, Sewer \$645,402.81, Stormwater \$3,604.50, Golf Course \$16,062.12, Enterprise Project \$29,297.95, Revolving \$51,869.70, Risk Mgmt \$4,008.56, Health Ins \$4,123.28, Capital Projects \$175,353.90, Payroll \$976,825.51, Less Svc Trnsfrs/ACH Drafts (\$175,007.40), Less Agenda Pymnts Apprvd Separately

(\$188,632.43), Grand Total \$2,525,644.43 (Finance Committee: B. Bentz, Chp, K. Walter-Ashby, J. McKenna)

CA - 17 Consider motion to adopt a RESOLUTION 2019-105 authorizing the purchase of traffic signal poles and mast arms for the SW State Street and SW Prairie Trail Parkway Traffic Signal Improvements.

CA - 18 Consider motion to approve the award of the custodial services contract to Merritt Company of Urbandale, Iowa, and authorize the Mayor to sign Letter of Agreement.

CA - 19 Consider motion to approve the award of the on-call custodial services for Lakeside Center and Outdoor Education Center to Mary's Cleaning Care, Inc., of Urbandale, Iowa, and authorize the Mayor to sign Letter of Agreement.

- **Personnel Items**

CA - 20 Consider motion to accept the Civil Service Commission certified list for appointment for Human Resource Coordinator in the Human Resource Department, subject to passing all other requirements.

- **Community Development Items**

CA - 21 Consider motion to adopt RESOLUTION 2019-106 accepting final plat, platted easements, warranty deed for streets, parkland dedication agreement, sewer connection fee, performance and maintenance bonds for paving and underground improvements, subdivision bond for erosion control and authorizing cost participation for sidewalk oversizing and authorizing the Mayor to sign a petition and waiver for future NW 18th Street paving for The Grove Plat 5.

CA - 22 Consider motion to adopt RESOLUTION 2019-107 approving plans and specifications and accepting contracts, performance and maintenance bonds for the construction of water main, sanitary sewer and storm sewer in The Grove Plat 5.

CA - 23 Consider motion to adopt RESOLUTION 2019-108 approving plans and specifications and accepting contracts, performance and maintenance bonds for the construction of street paving in The Grove Plat 5.

CA - 24 Consider motion to approve the Parkway South at Prairie Trail Neighborhood Plan.

- **Engineering Items**

CA - 25 Consider motion to adopt RESOLUTION 2019-109 accepting a proposal from Halbrook Excavating in the amount of \$105,300.00 for the construction of the Sawgrass Park Dam Flood Damage Repair Project.

- **Capital Improvement Projects**

CA - 26 NE 36th Street Reconstruction - Phase 2: Consider motion to approve: a) Certificate of Completion; b) RESOLUTION 2019-110 accepting the public improvement with Concrete Technologies, Inc., in the amount of \$4,938,630.84; and c) Release of Retainage in the amount of \$30,000.00.

- **Administrative Items**

CA - 27 Consider motion to adopt RESOLUTION 2019-111 adopting a certain supplement prepared by Iowa Codification, Inc., as an official supplement to the 2008 Code of Ordinances. (Covering ordinances through 1957)

CA - 28 Consider motion to adopt RESOLUTION 2019-112 approving a two-year contract with GolfNow, LLC for online tee time distribution, point-of-sale, marketing and website services for Otter Creek Golf Course.

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-28:

Action# E1-1. Walter-Ashby made the motion to approve the recommendations for Consent Agenda Items CA-1 through CA-28, seconded by Bentz.

ROLL CALL

2019-0318.E1-1 YES 3 NO 0

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS:

1. Supplemental and Removed Consent Agenda

Action# F1-1. No action taken.

G. RECESS: None

H. LEGISLATIVE BUSINESS:

- Approval of Ordinances:

1. **Ord 1962:** An Ordinance amending the Zoning regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, by rezoning certain real estate owned by Bill Kimberley, LC.

Action# H1-1. Walter-Ashby made the motion to accept second consideration of ORDINANCE 1962, seconded by Bentz.

ROLL CALL

2019-0318.H1-1 YES 3 NO 0

2. **Ord 1963:** An Ordinance amending the Code of Ordinances of the City of Ankeny, Iowa, by amending provisions pertaining to water rates.

Action# H2-1. McKenna made the motion to accept third consideration of ORDINANCE 1963, sending it on its final passage and publication as required by law, seconded by Walter-Ashby.

ROLL CALL

2019-0318.H2-1 YES 3 NO 0

3. **Ord 1964:** An Ordinance establishing street grade elevations along a portion of SE Creekview Drive.

Action# H3-1. McKenna made the motion to accept second consideration of ORDINANCE 1964, seconded by Walter-Ashby.

ROLL CALL

2019-0318.H3-1 YES 3 NO 0

4. **Ord 1965:** Consider motion to accept third consideration of Ordinance 1965, an Ordinance amending Ordinance Nos. 1039, 1189, 1423, 1446, 1741, 1943 and 1947 providing that general property taxes levied and collected each year on all property located within the Amended 1989 Ankeny Economic Development Urban Renewal Area, in the City of Ankeny, County of Polk, State of Iowa, by and for the benefit of the State of Iowa, City of Ankeny, County of Polk, Ankeny Community School District, Saydel Community School District and other Taxing Districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by the City in connection with the Amended 1989 Ankeny Economic Development Urban Renewal Area (Amendment No. 10 to the 1989 Ankeny Economic Development Urban Renewal Plan).

Action# H4-1. Bentz made the motion to accept third consideration of ORDINANCE 1965, sending it on its final passage and publication as required by law, seconded by Walter-Ashby.

ROLL CALL

2019-0318.H4-1 YES 3 NO 0

- Boards/Commissions Appointments:

5. Park Board - 03/18/19 - 01/31/23

- Aaron Bradshaw

Action# H5-1. Walter-Ashby made the motion to approve the appointment of Aaron Bradshaw to the Park Board, effective 3/18/19 through 1/31/23, seconded by Bentz.

ROLL CALL

2019-0318.H5-1 YES 3 NO 0

6. City of Ankeny / Polk County Airport Board of Adjustment

- Bruce Friest, 510 NW Nickolas Dr. - 3/18/19 - 12/31/22

- Ted Rapp, 1110 NE 29th Street - 3/18/19 - 12/31/23

Action# H6-1. McKenna made the motion to approve the appointments of Bruce Friest - effective 3-18-19 through 12-31-22 and Ted Rapp - effective 3-18-19 through 12-31-23 to the City of Ankeny/Polk County Airport Zoning Board of Adjustment, seconded by Walter-Ashby.

ROLL CALL
2019-0318.H6-1 YES 3 NO 0

I. OLD BUSINESS:

1. The 2019 Ankeny Parks & Recreation Facilities Comp Plan

Action# I1-1. Bentz made the motion to adopt RESOLUTION 2019-113 approving the Parks & Facilities Comprehensive Plan, seconded by Walter-Ashby.

ROLL CALL
2019-0318.I1-1 YES 3 NO 0

J. NEW BUSINESS:

1. Proposed SW Irvinedale Drive Transmission Main - Phase 1 Project (PH 2019-22)

Action# J1-1. McKenna made the motion to adopt 1) RESOLUTION 2019-114 adopting plans, specifications, form of contract and estimate of cost (\$1,982,000.00); 2) receive and file report of bids received March 12, 2019; and 3) adopt RESOLUTION 2019-115 making award of construction contract with On Track Construction in the amount of \$1,398,694.00 for the SW Irvinedale Drive Transmission Main - Phase 1 project, seconded by Walter-Ashby.

ROLL CALL
2019-0318.J1-1 YES 3 NO 0

Action# J1-2. Walter-Ashby made the motion to adopt RESOLUTION 2019-116 approving construction contract and bond with On Track Construction in the amount of \$1,398,694.00 for the SW Irvinedale Drive Transmission Main - Phase 1 project, seconded by Bentz.

ROLL CALL
2019-0318.J2-1 YES 3 NO 0

2. Proposed 2019 PCC Reconstruction Program - NW 9th Street Project (P 2019-23)

Action# J2-1. McKenna made the motion to adopt 1) RESOLUTION 2019-117 adopting plans, specifications, form of contract and estimate of cost (\$599,588.00); 2) receive and file report of bids received March 12, 2019; and 3) adopt RESOLUTION 2019-118 making award of construction contract with Halbrook Excavating in the amount of \$550,000.00 for the 2019 PCC Reconstruction Program - NW 9th Street Project, seconded by Bentz.

ROLL CALL
2019-0318.J2-1 YES 3 NO 0

Action# J2-2. Walter-Ashby made the motion to adopt RESOLUTION 2019-119 approving construction contract and bond with Halbrook Excavating in the amount of \$550,000.00 for the 2019 PCC Reconstruction Program - NW 9th Street Project, seconded by Bentz.

ROLL CALL
2019-0318.J2-2 YES 3 NO 0

3. Proposed SE East Lawn Area Utility Improvements - Phase 2 (PH 2019-24)

Action# J3-1. McKenna made the motion to adopt 1) RESOLUTION 2019-120 adopting plans, specifications, form of contract, estimate of cost (\$1,169,590.50) and enhancement of payment 2) receive and file report of bids received March 12, 2019; and 3) adopt RESOLUTION 2019-121 making award of construction contract with Halbrook Excavating in the amount of \$1,029,497.00 for the SE East Lawn Area Utility Improvements - Phase 2 project, seconded by Walter-Ashby.

ROLL CALL

2019-0318.J2-1 YES 3 NO 0

Action# J3-2. Walter-Ashby made the motion to adopt RESOLUTION 2019-122 approving construction contract and bond with Halbrook Excavating in the amount of \$1,029,497.00 for the SE East Lawn Area Utility Improvements - Phase 2 project, seconded by Bentz.

ROLL CALL

2019-0318.J2-1 YES 3 NO 0

4. Proposed SW State Street and SW Prairie Trail Parkway Traffic Signal Improvements Initiate Proceedings

Action# J4-1. Walter-Ashby made the motion to adopt RESOLUTION 2019-123 ordering construction on the SW State Street and SW Prairie Trail Parkway Traffic Signal Improvements project and fixing a date for hearing thereon and taking of bids therefor, seconded by McKenna. (date of bid-letting: 4/9/19 @ 10:30 a.m./date of hearing: 4/15/19 @ 5:30 p.m.)

ROLL CALL

2019-0318.J4-1 YES 3 NO 0

5. Proposed SW Des Moines Street - Prairie Trail to Magazine Project Initiate Proceedings

Action# J5-1. Bentz made the motion to adopt RESOLUTION 2019-124 ordering construction on the SW Des Moines Street - Prairie Trail to Magazine project and fixing a date for hearing thereon and taking of bids therefor, seconded by Walter-Ashby. (date of bid-letting: 4/9/19 @ 10:30 a.m./date of hearing: 4/15/19 @ 5:30 p.m.)

ROLL CALL

2019-0318.J5-1 YES 3 NO 0

6. 2019-2020 Mowing Services - South Zone

Action# J6-1. Walter-Ashby made the motion to adopt RESOLUTION 2019-125 approving a mowing contract for Ankeny's South Zones, between City of Ankeny and "A Cut Above", of Ankeny, Iowa, seconded by McKenna.

ROLL CALL

2019-0318.J6-1 YES 3 NO 0

7. Proposed Issuance of Not to Exceed \$665,000 General Obligation Bonds (for essential corporate purposes) (PH 2019-25)

Action# J7-1. Walter-Ashby made the motion to adopt RESOLUTION 2019-126 instituting proceedings to take additional action for the issuance of not to exceed \$665,000 General Obligation Bonds, seconded by Bentz.

ROLL CALL

2019-0318.J7-1 YES 3 NO 0

8. Proposed Issuance of Not to Exceed \$3,975,000 General Obligation Bonds (for essential corporate purposes) (PH 2019-26)

Action# J8-1. McKenna made the motion to adopt RESOLUTION 2019-127 instituting proceedings to take additional action for the issuance of not to exceed \$3,975,000 General Obligation Bonds, seconded by Walter-Ashby.

ROLL CALL

2019-0318.J8-1 YES 3 NO 0

K. ADMINISTRATIVE BUSINESS:

Report of the City Staff:

City Manager, David Jones, presented a legislative update as it relates to Senate File 447 and House Study Bill 165.

Report of the Governing Body:

Mayor Lorenz reported he and City Manager David Jones attended the MIALG meeting on Wednesday, March 13, 2019.

Council Member Bentz inquired about the condition of SE Creekview Drive and presented an update on the CVB.

Council Member McKenna inquired about the maintenance of the City's kybos.

Council Member Walter-Ashby inquired about resources as a result of this year's winter season.

L. ADJOURNMENT

1. There being no further business, the meeting was adjourned at 6:30 p.m.

Debra M. Arend, Interim City Clerk

Gary Lorenz, Mayor

Published in the Des Moines Register on the 2nd day of April, 2019.

Audio file of meeting is available by contacting the City Clerk's Office.